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ABSTRACT

This booklet describes the process of desegregation in the Cleveland Public School System. It begins with chronological history of the case of Reed v. Rhodes and other milestones in the desegregation struggle in Cleveland. This is followed by a section describing the Constitutional violations that were cited as causing segregated schools, the specifics of the plan mandated by court ruling, and a discussion of implementation of the plan, particularly of the serious administrative problems that were encountered. A description of the current status of desegregation is provided featuring accomplishments as well as unfinished business. Part II consists of quoted comments from parents, teachers, administrators, and students on the issue. Part III discusses the monitoring system currently in place to oversee Cleveland desegregation. (CG)

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More Than A Bus Ride

The Desegregation of the Cleveland Public Schools

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A Publication of the Office on
School Monitoring & Community Relations
Cleveland, Ohio

SEPTEMBER, 1985

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Preface

Discrimination adheres to many surfaces of our imperfect society -- race, sex, age, religion, national origin, among others. The effort to eliminate discrimination and all its vestiges is never-ending.

School desegregation strives to make our schools discrimination-free. In so doing, it also seeks to make society itself more open and more equitable. School desegregation in Cleveland, therefore, has been an historic event. Although imperfect, nothing is like it in reach and effect. It is important precisely because it aspires to accomplish so much.

In the Cleveland school case, the Office on School Monitoring & Community Relations plays the role of official observer. It is responsible for knowing what is expected, what is happening, and ultimately for assessing the results, both good and not so good.

Beyond the job of assessing the desegregation process, the monitoring office also is charged, as its title signifies, with a community relations role. This particular document illustrates our intention to help inform the Greater Cleveland community on the history and status of the school desegregation case.

On June 13, 14, and 16, 1984, the Advisory Commission of the monitoring office held public hearings in the hope that the desegregation process would be illuminated, and it was. The hearings brought forth people who added new light to the question: How are the Cleveland schools different as a result of the desegregation process? This document, which contains a selection of the comments made at these hearings, manifests the Commission's collective gratitude to the dozens of individuals who came to our hearings and spoke so candidly.

Vir K. Sondhi, Chairman
OSMCR Advisory Commission

CLEVELAND PUBLIC SCHOOLS: A PROFILE

Student Enrollment.....75,838
- % Black 69%
- % White 26%
- % Hispanic 4%

Number of Employees.....8,799
Number of Schools..... 132

1985 Operating Budget: $313,692,729

Governing Body: A seven-member board of education elected at-large to four-year terms. Board president elected annually by members.

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓Milestones	↓Newspaper Headlines
December 12, 1973	Plaintiffs file suit in U.S. Disrict Court, Cleveland. Case is titled Reed v. Rhodes.	
November 24, 1975	Reed v. Rhodes trial begins before Chief Judge Frank J. Battisti, U.S. District Court	
January 29, 1976		"Pinkney says black schools better than busing" [Arnold R. Pinkney, Board of Education president]
January 29, 1976		"Pinkney says would not want daughter bused"
February 22, 1976		"Briggs Urges Central Schools -- Not Busing" [Paul W. Briggs, Cleveland school superintendent]
March 19, 1976	Reed trial concludes.	
May 14, 1976		"Cleveland enrollment drop reflects busing fears"
August 31, 1976	Liability Opinion is issued by Court. Court finds State and Cleveland Boards of Education are held for racially segregated schools in Cleveland.	
September 14, 1976	Court appoints attorney Daniel R. McCarthy as Special Master to assist the Court in Reed.	
September 22, 1976		"Briggs warns of mass busing"
September 28, 1976		"Schools say busing to cost $75 million per year"
December 7, 1976	Court issues guidelines for desegregation planning. Desegregation to begin by September 1977.	
January 18, 1977	State Department of Education proposes a desegregation plan. No educational improvements are included.	
February 10, 1977	Court rejects desegregation plan proposed by Cleveland Board of Education.	

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓Milestones	↓Newpaper Headlines
February 25, 1977	Cleveland Board of Education proposes a second desegregation plan.	
March 17, 1977	In open court, Judge Battisti states that Cleveland school officials have resisted "at every step the letter and the spirit of the Court's orders...feigning innocence, while at the same time attempting to publicly undermine the legitimacy of these proceedings by impugning the legitimacy of the Court and misrepresenting the facts and law..."	
May 13, 1977	Cleveland Board of Education proposes a third desegregation plan.	
September 1977	Staff desegregation takes place. Balance of desegregation plan deferred.	
September 5, 1977		"Cleveland losing people faster than other cities"
September 6, 1977		"Bomb rocks Whitney Young [Junior High School]"
September 7, 1977		"Teachers reject pay offer"
September 9, 1977		"Enrollment shows 20,000 missing"
September 16, 1977		"Cleveland schools lost 12,000 pupils in last year"
September 21, 1977		"Reports show 10,000 less pupils"
September 30, 1977	The Special Master reports that the Cleveland Board of Education lacks the necessary expertise to administer the school system adequately.	
October 9, 1977		"Financial crisis in schools bigger than integration"
October 14, 1977		"Teachers give Cleveland schools one week without pay"

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓ Milestones	↓ Newspaper Headlines
October 17, 1977	The Ohio Auditor certifies that the school system lacks sufficient funds to continue operating. The year-end projected deficit is $19.1 million.	
October 21, 1977	Court orders that the schools remain open, and that the accounting firm of Ernst & Ernst be retained to survey the financial operations of the school system.	
October 27, 1977	The Special Master proposes a desegregation plan. Plan includes numerous school improvement objectives. Implementation to begin in September 1978.	
November 13, 1977		"Schools project enrollment drop for 2 years"
November 22, 1977		"Pay delay forced on city teachers"
December 7, 1977		"Legislature bails out schools; teachers to be paid"
December 21, 1977	The Court orders the establishment of a Department of Desegregation Implementation and the appointment of a Deputy Superintendent to head it.	
January 7, 1978		"Early tax receipts let city schools pay teachers on time"
February 6, 1978	A plan for desegregation (remedial order) is adopted by the Court. School improvement objectives are included.	
February 10, 1978		"Schools move to block busing"
February 10, 1978		"Statistics show enrollment decline"
March 7, 1978	Court appoints Dr. Charles Leftwich as Deputy Superintendent for Desegregation Implementation.	

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	Milestones	Newspaper Headlines
March 24, 1978		"School employees told payday will be payless again"
April 7, 1978		"Voters reject city school levy"
April 14, 1978		"State bails school out -- crisis over until Fall"
May 4, 1978	Court establishes the Office on School Monitoring & Community Relations (OSMCR).	
May 8, 1978		"School bus drivers vote to strike"
May 9, 1978		"Strike looms over teachers' summer pay"
May 31, 1978		"School bus drivers go on strike here"
June 7, 1978		"City school levy defeated soundly"
June 10, 1978		"City teachers okay September strike"
June 21, 1978		"Families flee to west side as busing looms"
June 21, 1978		"Few sell homes to flee desegregation"
July 1978	Superintendent Paul W. Briggs retires. He is succeeded by Peter P. Carlin.	
August 1978	Arnold R. Pinkney, Board of Education president, leaves the Board.	
August 8, 1978		"City schools in state of chaos"
August 31, 1978		"School employees prepare for strike"

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓ Milestones	↓ Newspaper Headlines
September 1978	Desegregation delayed.	
September 1978	Cleveland teachers strike.	
November 1978	Dr. Charles Leftwich, Deputy Superintendent for Desegregation Implementation, resigns.	
November 1, 1978	Cleveland Board proposes desegregation of junior high schools in February 1979.	
November 8, 1978		"Cleveland school levy loses, another try is pondered"
November 10, 1978	Court accepts the Cleveland Board's junior high school desegregation plan.	
December 20, 1978	Cleveland Board notifies the Court that it has appointed Dr. Margaret Fleming as Deputy Superintendent for Desegregation Implementation, succeeding Dr. Leftwich.	
January 8, 1979	At the request of the Cleveland Board of Education, the Sixth Circuit Court of Appeals delays the scheduled February desegregation in Cleveland.	
March 16, 1979	OSMCR reports a number of all-black classes at Clara Westropp Junior High School, a school to which black students had been reassigned following the closing of Addison Junior High School.	
March 22, 1979		"School abolishes all-Black classes at Westropp"
May 2, 1979		"School payroll is saved at 11th hour by Board"
July 4, 1979		"City schools flunk state inspection"
July 13, 1979		"Enrollment seen dropping 10%"

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓ Milestones	↓ Newspaper Headlines
August 23, 1979	Sixth Circuit Court of Appeals affirms Judge Battisti's decision that the Cleveland Board is liable for intentionally segregating the Cleveland Public Schools; affirms the district-wide desegregation plan that includes school-improvement objectives; and removes its temporary stay of desegregation in Cleveland, allowing desegregation to proceed.	
September 10, 1979	Desegregation begins on a three-phase schedule. Phase I involves 33 schools and approximately 13,500 students.	
October 1979	Teachers go on strike. Strike lasts until mid-January 1980.	
October 3, 1979		"City school levies lose 4th time"
October 9, 1979		"Enrollment loss may reach 20,000--greater than expected"
November 14, 1979	U.S. Department of Justice reports that four Cleveland school actions it investigated constitute acts for which criminal contempt proceedings could be brought. However, the Justice Department elects not to begin contempt proceedings so as to avoid "divisive potential inherent in a prosecution of contempt at the beginning of the implementing of a Court-ordered desegregation plan".	
January 15, 1980		"Clerks walkout stops school buses"
March 17, 1980	U.S. Supreme Court declines to review the Cleveland case, allowing the Court of Appeals' affirmation of the District Court ruling to stand.	

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓ Milestones	↓ Newspaper Headlines
March 18, 1980	Desegregation continues. Phase II involves an additional 20 schools and approximately 22,500 more students.	
May 24, 1980		"Cleveland schools report loss of 15,423 pupils, most have left town"
July 12, 1980		"$7 million school deficit may result in safety cut"
July 22, 1980		"Fired school [bus] monitors block 72 school buses"
July 25, 1980	Court, after 23 days of hearings, finds serious deficiencies in Cleveland Board's desegregation performance, and orders appointment of an administrator of desegregation with broad powers to implement desegregation. Court appoints Dr. Donald R. Waldrip as Administrator of Desegregation on August 15.	
September 8, 1980		"Delayed teachers payday saves city school budget"
September 23, 1980	Court orders State to reimburse Cleveland for a share of expenses for desegregation.	
September 29, 1980	Desegregation continues. Phase III involves all remaining schools.	
November 4, 1980		"White outflow, staff problems vex the schools"
February 24, 1981		"More drivers joining bus strike"
April 1, 1981	State Controlling Board approves a $19 million loan to Cleveland Public Schools. As a result of the loan (the second in three years), Cleveland schools remain under financial receivership through 1984.	
April 24, 1981	Court adopts standards to measure compliance with its desegregation orders.	

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

	↓Milestones	↓Newspaper Headlines
May 1, 1981	Court rejects the Administrator of Desegregation's magnet school plan and directs the Administrator to give highest priority to implementation of the educational components of the desegregation plan.	
June 1, 1981	OSMCR reports that the Cleveland School District is in a state of organizational crisis and makes reorganization recommendations for a unitary administrative structure and decentralization.	
September 1981	Year 3 of desegregation begins.	
September 14, 1981	Cleveland Board and other Parties in lawsuit agree that the Cleveland school system should be reorganized.	
October 5, 1981		"Parents halt half of school buses"
October 9, 1981		"City school bus drivers vote to strike"
October 21, 1981	Sixth Circuit Court of Appeals affirms Judge Battisti's finding of liability against the State Board of Education.	
December 1981	John E. Gallagher, Jr., Cleveland Board President, leaves Board.	
December 1, 1981	The Court orders Cleveland Board to draw reorganization plans for a unitary and decentralized administrative structure as recommended by OSMCR and endorsed by all parties to the lawsuit. (Board fails to draw a plan.)	
March 19, 1982	U.S. Supreme Court declines to hear appeal of the State Board of Education.	
March 30, 1982	State Controlling Board approves a $29 million loan to Cleveland City School District. School District remains subject to fiscal receivership.	

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

↓Milestones	↓Newspaper Headlines
March 31, 1982	Court orders State to draw reorganization plans for Cleveland, after city school officials failed to do so.
May 3, 1982	State produces Cleveland reorganization plan.
May 6, 1982	Cleveland Board commits itself to implement the State's reorganization plan in a "timely and effective manner."
June 28, 1982	Court sets final deadlines for compliance with its desegregation orders. All desegregation to be completed by mid-1983.
July 1982	Roger W. Lulow becomes Acting Superintendent of Schools, replacing Peter P. Carlin.
July 8, 1982	Court grants final approval for Cleveland School District reorganization. On August 2, control of desegregation reverts to school officials. Court-appointed Administrator of Desegregation departs in November.
August 1982	Dr. Frederick D. Holliday appointed Superintendent of Schools.
Fall 1982	Federal grants for desegregation end. From 1977 to 1982, Cleveland receives $27 million in Federal aid for desegregation.
September 1982	Year 4 of desegregation begins.
September 3, 1982	OSMCR reports the major cause of enrollment decline in Cleveland since 1970 is loss of school-age population due to lower birth rates and population loss in city. School desegregation is found to have contributed somewhat, but not greatly, to the enrollment loss.

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

↓ Milestones	↓ Newspaper Headlines
March 1983	State financial assistance for desegregation begins. In 1983, Cleveland receives a total of $55 million in state desegregation aid, including aid for prior years. (State desegregation aid continues in subsequent years.)
Summer 1983	The Court-adopted deadlines for completion of desegregation work pass without compliance being attained.
September 1983	Year 5 of desegregation begins.
September 26, 1983	Cleveland Board identifies 162 unfinished items of desegregation work.
November 10, 1983	"[Tax] Levy passage means board must perform"
May 1984	State fiscal receivership of Cleveland Board ends.
September 1984	Year 6 of desegregation begins.
January 1985	Ralph Perk, Jr. replaces Alva T. Bonda as President of Cleveland Board of Education.
February 1985	Alfred D. Tutela is appointed Superintendent until May 31, succeeding Frederick D. Holliday. In May, his contract is extended to Fall 1985.
March 13, 1985	Court holds hearing on problems with the District's school bus operations. School officials pledge to make improvements by Fall 1985.
July 29, 1985	Court orders Cleveland Board, with State assistance, to report by September 1 "on the current status of its compliance with the Remedial Order," including measures "to make the Remedy permanent and self-executing."

CLEVELAND MILESTONES OF SCHOOL DESEGREGATION AND RELATED NEWSPAPER HEADLINES

↓Milestones	↓Newspaper Headlines
September 1985	Year 7 of desegregation begins.
September 3, 1985	Dr. Ronald A. Boyd named Superintendent of Schools.
September 3, 1985	Cleveland Board reports extensive unfinished work related to desegregation and reorganization.

We conclude that in the field of public education the doctrine of 'separate but equal' has no place.

U.S. Supreme Court, 1954

PART I:
Facts of the School Case

It has been six years since the start of school desegregation in Cleveland, nine years since the court mandate to desegregate, 31 years since the U.S. Supreme Court prohibited racially separate public schools. The Cleveland school case, Reed v. Rhodes, remains alive, its influence on the schools continues to be strong, and paradox is everywhere.

- School desegregation is one of the most important recent events in the city, and undoubtedly the single most influential recent event in the school system. Yet the basic elements of the school case -- its origins and objectives -- remain widely misunderstood or not understoood at all.

- The desegregation plan in Cleveland, unlike most in the nation, includes mandates to improve the school system's educational quality. Yet the case continues to be commonly seen as a "busing" case, as if the plan simply reassigned and transported students.

- The Cleveland schools as an immediate result of desegregation have been transformed from one of the more racially segregated systems in the nation to a system of biracial schools -- with comparatively little "white flight", and remarkable long-term stability in the racial makeup of the student body. Yet desegregation is widely perceived as having caused the district's heavy enrollment loss, and as having failed by resulting in resegregation.

• The school system long ago agreed to address its management needs, a step that is vital not only to the attainment of desegregation objectives but also to the system's general capacity to manage itself. Yet the management improvements called for by court orders have been slow to emerge and now dominate the list of unfinished work in the school case.

The desegregation process has come a long and important distance in the nine years since 1976. Another distance, however, still stands between the school system as it now is and the hope, in the words of an early court order, that desegregation ultimately would restore "the rights of all pupils and parents to administrative competence, financial stability, and academic excellence...." Parents in general seem to have accepted desegregation as a reality. Yet they remain deeply frustrated on matters ranging from school bus service to the quality of teaching and administration. The school case, in short, even after nine years, is an incomplete event. Its completion depends ultimately on a broader understanding by participants and public of why the school case came about and what it is intended to accomplish.

Constitutional Violations: What Wrongs Were Committed?

The Cleveland school case, now so complex, began simply: ten students and their parents, represented by NAACP attorneys, filed a class-action suit in December 1973 in the U.S. District Court, Northern District of Ohio, charging that the "policy, practice, custom and usage" of the Cleveland Public Schools had the purpose and effect of perpetuating racial and economic segregation in the public schools." They cited the Thirteenth and Fourteenth Amendments to the Constitution of the United

States, which guarantee among other things "equal protection of the laws" to all persons. They named as defendants the Governor and State Attorney General (both later dismissed from the suit), the State Board of Education and State Superintendent of Public Instruction, and the Cleveland Board of Education and its Superintendent of Schools. All black students, these plaintiffs said, were "suffering irreparable injury." They had, they said, no "plain, adequate or complete remedy other than [legal] action." And so they petitioned "the aid of this court."

Two years passed uneventfully. No settlement that would avert trial of the lawsuit was reached. In November 1975, therefore, trial of the lawsuit began and lasted until March 1976. The chief judge of the U.S. District Court for the Northern District of Ohio, Frank J. Battisti, presided over the trial. Later, over the space of eight years, he would issue nearly 400 orders to cause desegregation of the Cleveland Public Schools.

The school trial was technical in content, highly political in implication, and extensively reported by the media. Five months after the trial, Judge Battisti would rule that the Cleveland and Ohio Boards of Education had intentionally created and/or maintained a racially segregated public school system in Cleveland in violation of the "equal protection" clause of the Fourteenth Amendment to the Constitution of the United States. As with other school segregation rulings, the Cleveland ruling found that the discrimination was intentional -- not the result of happenstance or housing patterns or of other events beyond the control of school officials -- and therefore it was unconstitutional.

The Cleveland and State Boards of Education were found to have

discriminated against black children through actions that "infected every part of the system." More than 200 specific acts that caused or perpetuated racial segregation were cited in the ruling.

The violations:

- Busing for Segregation - 17 cases in which black students were bused to white schools to relieve overcrowded conditions or because of school closings and were kept in "intact racial enclaves which included classrooms, recreation, use of toilet facilities, eating, arrivals, and departures."
- School Construction - 27 new schools and 16 school additions built from 1940 to 1975 "to prevent or reduce the likelihood of black and white students attending school together."
- Portable Classrooms - 11 instances of using portable classrooms as the equivalent of permanent building additions "so as to create or intensify existing racial segregation."
- Changes in School Grades - 4 cases in which the grades housed in schools were changed "in a manner which deliberately and predictably created racial segregation."

- Rental of Private Buildings - 7 instances of renting facilities to relieve overcrowded schools with segregative results when the district could have used space in other schools and achieved an integrative result.
- Contribution to Housing Segregation - use of schools to help create racially segregated housing by building schools to serve segregated public housing, to serve and help contain segregated private housing, and by placing classrooms in segregated public housing to contain black students.
- Administrative Manipulation - 8 cases of overcrowding or underusing schools so as to maintain segregated schools, principally through the use of double sessions or "relay classes" at black schools.
- School Boundary Changes - 54 instances involving 413 schools, resulting in new segregation or in intensified "racial identifiability" of schools.
- Special Transfers - individual student transfers granted "to allow white students to 'escape' from predominantly black neighborhood schools", indicating "a dual school system" and causing enrollments to shift in the period 1965-70.

- Optional Attendance Zones - 37 instances in which students were permitted to choose their schools of attendance, resulting in "a predictable segregative pattern."
- Teacher Assignments - "massive teacher segregation", resulting in an "almost perfect correlation between the race of a school's student enrollment and the race of its faculty" in the period 1969-73.
- Student Assignments - 21 instances of student reassignments because of school closings, overcrowding or other factors, where "the predictably segregative option" was chosen although an integrative option existed.
- School Closings - 7 instances of closing schools, accompanied by segregative student reassignments.
- Building Conversions - 3 instances of altered building use, resulting in segregation.
- Transfer of School Territory - 2 cases of transfer of Cleveland school territory to surrounding school districts, with "predictably racially segregative" results.

The school system had gone to trial asserting that it would succeed in proving its innocence. Although public demonstrations against segregated schools had occurred in number and with publicity in Cleveland -- a minister, the Reverend Bruce Klunder, had been killed in an accident on a

school construction site in just such a protest in 1964 -- the demonstrations had ended a full decade before the trial. The school system, meanwhile, had spent more than $200 million on a school construction program that replaced dilapidated schools with new schools on both sides of the city. Black teachers had been recruited and employed in large numbers -- few if any big-city system had proportionately as many minority teachers and administrators on payroll by the early nineteen seventies. The system's public image was positive, its alliances with private-sector leadership were strong, its portrait in the media was glowingly affirmative.

The 1976 court ruling, therefore, that Cleveland's school system was a racially dual system, no less illegal than those of the South, came as a shock. The first newspaper editorial on the ruling was probably representative of public opinion and certainly indicative of the reception the orders would receive. Published the day following the ruling, it portrayed the court decision as "unduly harsh," the then-superintendent of schools as "a man of good will and sensitivity," and the school board as "not malicious."

The basis for the ruling -- the detailed acts of intentional segregation -- gained fleeting public attention at the time, and indeed would never become widely known. Although the segregative acts were the indispensable foundation of the desegregation ruling, they became a kind of trivia, nuggets of information generally known only to individuals close to the case. When they and the court ruling were reviewed three years later by a three-judge panel of the federal Court of Appeals for the Sixth Circuit, the Cleveland ruling was unequivocally affirmed. The Cleveland case, the court of appeals wrote, revealed "massive evidence of intentional

discrimination", and the order to desegregate was "fully warranted by the evidence." Subsequently, in 1980, the U.S. Supreme Court refused to review the case, thereby ending the appeals process and making Judge Battisti's liability ruling of 1976 and its companion rulings of 1978 on liability and remedy the law of the Cleveland case.

Desegregation Mandates: What Does The Plan Call For?

As is typical in school desegregation cases, school officials were required to draw plans to undo the segregation they had caused. Between 1976 and 1978, the court issued guidelines for planning, the State produced one plan, the school system wrote three plans (two of which were rejected by the court), and three court-appointees (a special master and two planning experts) worked to piece together a comprehensive remedial plan that would fit both the particular violations found in Cleveland and the school system's more obvious needs in desegregation administration.

The ultimate result, fashioned by the Court's Special Master, was a plan that called for student desegregation and staff desegregation in all schools in the district, and also included school-improvement requirements in areas from reading and guidance to staff training and community relations. It was a plan as educationally oriented as any court-adopted desegregation plan in the nation either then or now.* The plan was adopted by the court in February 1978, 17 months after the schools were found to be segregated.

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*The Boston plan is about equally broad.

The 14-part plan calls for:

- The racial makeup of each school, elementary and secondary, to reflect that of the school system as a whole. Only two schools for handicapped children are exempted.
- The staff at each school to be desegregated.
- Students to be transported to and from school safely, economically, and efficiently, and schools to be safe.
- Improved reading performance by all students to be aggressively pursued, and, in addition, the gap between the reading scores of black and white children to be closed.
- Testing and ability grouping to not be allowed to resegregate students.
- Students to be counseled in a racially unbiased manner.
- Discipline to be applied fairly to students.
- Staff and students to receive training about desegregated education.
- Students to have equal access to extracurricular activities.
- The school system to improve relations with the community and parents.
- Magnet and vocational programs to enhance and aid desegregation.
- The school system to reach out to Cleveland's business, educational and cultural organizations to expand educational opportunities and school quality.
- Special programs, such as bilingual education, not to be impaired.

- The system to be well managed. By 1982, this objective would lead to a broad administrative reorganization of the school system, with emphasis on management systems and decision-making decentralized to the school level under a reorganization plan drawn for Cleveland by the Ohio Department of Education.

The plan was as ambitious as the constitututional violations were extensive. It thereby reflected the legal principle that plans for desegregation should fit, in content and breadth, the violations of constitutional rights. In sum, the plan called for a refitting of the school system to permanent standards of non-discrimination and equity.

Subsequent court orders would call for the school district to undergo reorganization so as to "help assure continued progress" in getting the plan implemented, would require the state to bear half the costs of the desegregation venture, and would create a monitoring office to provide the court "reliable information from a credible and independent source to indicate whether [the] remedies are being implemented effectively and whether additional remedies are required." Additionally, another stream of orders would be needed to cause development of a timetable for putting the plan into place, thereby making desegregation occur. A year and a half would pass from the time the basic plan was adopted until its initial effect on students. During this period, both controversy and general public anxiety would build.

Implementation of the Plan: What Happened?

The desegregation plan in Cleveland was implemented in stages.

- In school year 1977-78, school staffs were desegregated.
- In three successive semesters -- Fall 1979, Spring 1980, Fall 1980 -- students were desegregated. All schools were included, except two special schools for handicapped children. All grades were included, except kindergarten, since attendance of kindergarten is not required under state law. In the first year that high schools were desegregated, seniors were unaffected so as to allow them to graduate from the schools they had been attending to that time.

The immediate effect was to transform a highly segregated school system into a desegregated system. Before desegregation, all but a small handful of schools were one-race schools, white or black. Today, all schools are bi-racial, with black students in the majority in all schools as they are in the district as a whole. Some schools that have bilingual programs for Hispanic or Asian children are tri-ethnic in their enrollments.*

The common expectation as desegregation approached was that desegregation would be met with widespread parent resistance, perhaps even organized violence in some places. Anxiety levels were high in all parts of

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*The rule of thumb used by desegregation planners in Cleveland is that each school should have an enrollment that reflects the district's racial composition plus or minus 15 percentage points. Since the district is 69% black, school enrollments are allowed to range from 54% to 84% black.

the city. The school district employed security guards in substantial new numbers and deployed them to the schools being desegregated. Special units of city police were deployed across the school district, along with staff from the city's community relations board and representatives of the U.S. Community Relations Service. The city's religious leaders called for a peaceful beginning. National as well as local media focused on Cleveland school desegregation with the expectation that the first days would contain dramatic events.

As desegregation began in September 1979, the city responded anxiously but peacefully. Street violence was non-existent. There was little boycotting of the newly desegregated schools, by parents keeping children at home. The non-violent character of the process extended through the later two phases of desegregation. Except for one potentially volatile time at John Marshall High School on the West Side in Fall 1979, where white students set up picket lines to protest desegregation, overt racial incidents involving black and white students have been rare. As a result, and in a relatively short time, desegregation has come to be generally accepted.* To those in the schools, desegregation has come to be the new norm for the school system.

The contrast in climate between now and the 1979-1980 period is dramatic. Only a few years ago:

- A group of white students walked out of John Marshall High

*A Cleveland opinion survey in 1981, conducted about two years after the start of desegregation, found that 18% of parents supported desegregation, an additional 28% accepted it, and an additional 26% had gotten used to it, a total of 72% of all parents surveyed.

School and set up picket lines to protest the desegregation of their school. School buses for black students were daily subjected to harassment by groups of white youths as the buses left the school. In the opinion of the principal, the conditions that spawned this incident are well in the past.

• Anti-desegregation groups set up telephone lines to dispense recorded messages that condemned school desegregation, the judiciary, the schools, and in some cases minority groups themselves. No such telephone lines exist any longer.

• In the secondary schools, anxiety and tension were commonplace as desegregation began. Racial graffiti littered the walls of restrooms in many schools. School staff struggled for control of student schedules, records, reports and classes as reassigned students arrived at their new schools and students not reassigned saw their classmates abruptly changed. Today, the schools are racially calm and free of the residue of violence that would have been a long-term obstacle to desegregation.

Administration of the desegregation program, however, was ridden with serious and recurrent problems. In the early periods of desegregation:

• All-black classes were set up in a predominantly white junior high school to which black students had been reassigned after a school closing. After their discovery, school officials dismantled the classes, but the event signalled problems of planning and attitude.

• A community relations program, commonly accepted as critical to successful desegregation, was virtually non-existent. Parents and staff were left largely dependent on the media and on community groups for basic

information until after most students had been reassigned to desegregated schools. Not until 1980 did the District begin a structured community relations effort.

• School closings, necessitated by heavy but ignored enrollment declines that had begun years before desegregation, complicated student reassignments for desegregation. About 60 schools were closed between 1978 and 1980, although the district had no comprehensive building-use plan on which to rely for planning purposes. A five-year plan, required by court order, finally was produced in June 1985.

• The school bus system, carrying more than 30,000 students to school each day by 1980, was chronically inadequate. At the worst point, in early 1980, the transportation problems were "awesome, not only in the number of pupils affected but also in the quantity of systemic failures." The school official then in charge of desegregation described the bus operations as "disastrous." The system is now preparing to obtain its first permanent bus depot facilities for a fleet of over 400 buses, having relied until 1985 on temporary depots, generally regarded as a major cause of unreliable bus operations. In addition, reliability standards have been set by the state to help control bus operations in Cleveland.

• Budget deficits unrelated to desegregation built up inside the school system. Eventually, and simultaneous with desegregation, the system would fall into state receivership, an arrangement that would last until 1984.

• In 1979, the U.S. Department of Justice, after a lengthy investigation, found that a basis existed for prosecution of school officials for criminal contempt in four events involving adoption of a code

of student rights and responsibilities, alteration of an administrative structure in the school headquarters, a federal funding application, and the one-race classes at the junior high school mentioned earlier. The Justice Department opted not to prosecute, out of concern that desegregation (then in process) would be disrupted.

• Most significantly, perhaps, the school-improvement objectives of the desegregation plan were largely deferred by school officials until after students were reassigned to desegregated schools. The desegregation plan was intended as a seamless reform: the schools were to become biracial and educationally improved at the same time. The plan, however, was instead installed in pieces -- student reassignments first, educational improvements later, finance and management reforms later still. As a result, the educational objectives of the plan were rendered nearly invisible, and the educational and management reforms called for in the plan would be late to emerge. Many are not reality even today.

The early problems in installing the desegregation plan reached a climax in the school case in Spring 1980. In the midst of the second phase of desegregation, court hearings that lasted six weeks revealed a school system unable to administer a coherent desegregation process. The court concluded that performance of school officials in this period amounted to "systemic maladministration, a form of resistance quite different from 'standing in the schoolhouse door', but equally effective in impeding

desegregation." The court, through an appointed desegregation administrator, took direct control of the desegregation program for the next two years.* The school board appealed the ruling, succeeded in overturning contempt findings against it, but failed to dislodge the basic orders that placed control of the desegregation program temporarily under a court-appointed administrator with broad powers and responsible directly to the court.

Court appointment of a remedy administrator proved to be a step that would protect the desegregation program, yet also provide a fresh basis for deep controversy. Predictably, it was an imperfect arrangement in dual control of a public school system. A court-appointed official with essentially the authority of a school superintendent co-existed with a board-appointed superintendent inside a school system in which desegregation objectives spanned education and management as well as traditional desegregation areas. Disputes between the administrator's team and the superintendent's staff were constant, often fractious.

Yet for all its drawbacks, the arrangement ultimately lifted the desegregation process from its low-point in 1980 to a stage in 1982, when the court restored control of desegregation to school officials, at which the potential for compliance with the court orders could be seen on the horizon, however distant. In these two tumultous years:

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*Earlier, in 1978, when the start of desegregation seemed imminent, the court appointed a deputy superintendent for desegregation after the Board of Education did not create and staff an administrative unit to implement the desegregation plan. The court-appointed deputy resigned after several months and was replaced in late 1978 by a board-appointed deputy for desegregation who administered the desegregation program from late 1978 until the court acted in 1980 to retake direction of the program.

• An affirmative reading skills program was designed -- the system's first comprehensive response to the most critical educational mandate in the desegregation plan -- to address racial disparities between black and white students.

• A process for the planning of building-use was designed. The planning process helped school officials produce by mid-1985 the system's first long-term plan for the use of all schools and other buildings operated by the district. Such a plan is essential to stabilize student assignments and the locations of special programs.

• The school system's first sizable community relations effort was mounted.

• A project to develop a code of policies and regulations was begun. Not yet complete and without precedent in Cleveland, the project is designed to place the Board of Education in a policy-setting role and provide administrators and school principals with a written set of standard operating rules.

• The District's first written policy on student assignments, supplemented by a set of decision rules, was produced and put into effect. It is the foundation for the assignment of all students to all schools, and controls special transfers of students.

• The number of specialty or "magnet" schools was increased from three to ten.

• The first comprehensive study of the needs of the school bus fleet was commissioned and completed. Though not acted on by the Board for three years, the study helped drive the Board in 1985 toward its current

commitment to acquire permanent bus depots.

In August 1982, control of the desegregation program was restored by the court to school officials where it has remained ever since. The court-appointed administrator was phased out, the administrative unit for desegregation that had existed since 1978 was eliminated, desegregation responsibilities were incorporated in a revised administrative structure for the school district, the desegregation programs that had been under the control of the court-appointed administrator were protected by orders requiring their continuity, and a broad reorganization plan, drawn by state education officials and directed at the district's need for new management and finance systems, was ordered by the court to be effected.

The objectives of the reorganization plan stemmed from an organizational study by the Office on School Monitoring & Community Relations. The plan's contents were agreed to by Cleveland and state school officials, as well as the NAACP. In effect, the reorganization was focused on management defects that had been identified as far back in the school case as 1977.*

The reorganization objectives called for the school system to have:

- Explicit educational objectives.

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*In a series of reports from 1977 through 1980, the Special Master to the Court described a wide range of management deficiencies in the school system, including an absence of fiscal controls.

- Improved research, policy development and program planning systems.
- Improved counselling and career guidance programs.
- Long-term development of management and accounting systems.
- Assessment of transportation, student assignment and safety programs to identify management systems needed by them.
- Computerized personnel systems, including staff evaluations and need-specific staff training.
- Management information systems to improve planning and decision-making.
- Compliance with state minimum standards.
- Overtime controls.
- Improved student attendance rates, through planning.
- Improved purchasing and warehousing systems, and asset inventory controls.
- Parent training programs.
- Improved public information systems.
- Improved vocational education programs.
- Internships in the workplace for high school students.
- An overall reading instruction strategy based on needs assessment and program evaluation.
- Improved coordination of instructional programs.

- Effective budgeting, fiscal planning, accounting and auditing systems.
- A more functional administrative structure led by a superintendent with "a broad oversight role" and a deputy superintendent responsible for "day-to-day control" of the district.
- Codified policies and regulations.
- Standardized job descriptions and uniform salary schedules.
- Decentralized decision-making, with greater authority and accountability for school principals and parent involvement through parent councils at each school.
- Facility-use planning to control school closings, use of closed schools, and educational and budget planning.

Except for decentralization, which was scheduled to take three years ending in 1985, the reorganization work was to be completed in mid-1983. By court order, the desegregation plan itself also was to be completely in place by the middle of 1983.

Neither schedule, for reorganization or desegregation, would be met. Thus the school case would continue beyond 1983.

Current Status: Where Are We Now?

After six years of desegregation, there are both significant accomplishments and important unfinished business.

The accomplishments include these:

• Segregated schools have been replaced by desegregated schools. Before desegregation, nine out of ten Cleveland students attended one-race schools, black or white. Now all schools are bi-racial, in both students and staff. In addition, the school district has identified a small number of schools in need of additional white students to improve their racial composition, and has made plans to do so.

• Desegregation was accomplished without organized violence. In the schools, race is not a common source of tension or conflict.

• The racial composition of the school district is stable. Where the district was 64% black before desegregation, it is 69% black six years later. Over the next few years, little change is projected in either black or white proportions of Cleveland students.

• Enrollment decline, which reduced the district's student body by about half in 14 years, has ended. Total enrollment has stablized at about 76,000, and is projected to be level over the next few years. Many of the student transfers out of the schools during desegregation probably would have occurred anyway, based on pre-desegregation transfer patterns and the destinations of the student transfers.*

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*Enrollment decline in Cleveland schools began in 1971, eight years before desegregation started, and continued annually through the desegregation years, ending in the early nineteen eighties. The decline was caused by population loss in the city as a result of out-migration and lower birth rates in the city. Other school districts in the area that were not desegregating experienced similar declines in this period. School desegregation in Cleveland enlarged the loss only to the extent of about 4,800 students (white and black combined) in the initial two year period of desegregation, according to an exhaustive analysis by OSMCR in 1982.

• Reading scores have been improving since 1983, for both black and white students, when scores are compared grade-to-grade with earlier years. Not all students are gaining, but the trend is encouraging. Most important, reading has become a priority issue in the schools. The district now collects scores by race and analyzes them annually for black-white parity, a form of equity research that is rare in U.S. schools.

• Student attendance rates have returned to their pre-desegregation levels.

• Corporal punishment -- paddling of students -- has been sharply reduced.

• Six new magnet schools, a direct product of desegregation, have been created. They enroll over 3,000 students who choose to attend these specialty schools.

• A five-year plan for building-use has been drawn by school officials in response to court orders. When followed, it will control future school closings and program relocations, thereby stabilizing student assignments and preserving desegregation in the schools.

• Decentralized decision-making is slowly replacing centralized control of the schools. School principals gradually are being authorized to manage their schools' budgets and also to have a hand in selecting new teachers and other staff for their schools. Previously all such decisions were made in central headquarters. Parents, through school-community councils in the schools, have begun to express a new voice in the schools.

• Data -- fresh information on student achievement patterns,

dropouts, attendance rates, costs, overtime, bus performance -- have begun to pour out of the school headquarters. Never before have school officials -- and the public -- had access to so much solid data and information.

• Partnership activities that link schools with corporations, cultural institutions and universities are on the rise.

Unfinished business, on the other hand, is considerable, and also vital to good education and sound management.

• In 1983, after all remedial work was to have been done, school officials listed unfinished remedial work. The district counted 162 incomplete tasks. Two years later, well over 100 remain undone. The unfinished work stretches from the reading program to personnel systems, from information management to fiscal controls, from decentralized operations to the reliability of school buses.

• In reading, the most basic of learning skills, the school district is required to strive toward racial parity. Equal reading scores for white and black students are not called for -- but getting equal proportions of white and black students above the point where remedial instruction is necessary is called for. The schools have substantial disparities to overcome.

• In school bus operations, a basic service that affects about 30,000 students each day, a reliability level that consistently brings 97 out of 100 buses to school on time (and delivers children home on time) is called for.

• In staff training, a focus on the identified skill needs of teachers, administrators, counselors and other staff, and measured results

from training, are required.

• In student discipline, fairness is required, as reflected by statistics on suspensions and other disciplinary measures.

• In student attendance and dropouts, planned and sustained efforts to raise attendance rates and cut dropout rates are called for. Both areas have been chronic trouble points in Cleveland. (More than 40% of all 10th grade students drop out of school before their class graduates, not counting those who transfer to other schools.)

• In management and finance, school officials are called to institute controls and systems so as to manage effectively. Why? Because with a broad desegregation plan that addresses the quality as well as the equity of schools, the plan's objectives depend in part on the existence of basic management, fiscal and business systems that work. Management failings and fiscal instability can only destablize and limit the effectiveness of a desegregation program tht reaches far beyond statistical integration and bus rides.

• In vocational education, preliminary planning has been done, and a thorough redesign of programs and course offerings is now required.

• Finally, the ultimate piece of unfinished business is making the equity objectives of the desegregation plan permanent fixtures in the schools. To accomplish this, school officials will need to install policies, practices, regulations, review and evaluation procedures, report systems and similar tools so as to ensure that discrimination once removed does not return.

From the beginning, school desegregation in Cleveland was meant to be more, far more, than a bus ride. Even before the process began, a court order expressed the hope that with desegregation would come "administrative competence, financial stability and academic excellence." Realization of the hope has been elusive. In six years of desegregation, there have been real accomplishments. Still, by all assessments, including that of the Cleveland Board of Education, the process is incomplete: required work remains unfinished; intended results remain to be produced, especially in educational improvements and organizational sophistication.

How the Cleveland school case evenually comes to an end is a matter of no small consequence. Much more than a bus ride is at stake for Cleveland's students and Cleveland's schools. Elsewhere, those who know the history of school desegregation will watch to see whether the Cleveland venture -- one still with few advocates, heavy early resistance, a turbulent start, a problem-ridden implementation, and the ambition to improve schools as well as desegregate them -- will find the means to reach its high goals.

It is the sincere hope and belief of the Court that when desegregation comes and the constitutional rights of plaintiffs are restored, the rights of all pupils and parents to administrative competence, financial stability, and academic excellence will also be restored.

Frank J. Battisti, Chief Judge,
U.S. District Court,
Northern District of Ohio, 1978

PART II:
Voices in the School Case

In June 1984, as school desegregation completed its fifth year in Cleveland, the Advisory Commission to the Office on School Monitoring & Community Relations conducted public hearings. The hearings were intended "to gather first-hand statements from parents, students, teachers, school administrators and others on the results of the desegregation process since its implementation in 1979." The hearings lasted three days. The Commission heard 69 individuals; some came on their own initative, others responded to the Commission's request for their testimony. All testimony was voluntary. Two members of the Board of Education elected to testify, as did the Deputy Superintendent of Schools. The Commission produced a written transcript of the hearings; it numbers 1,073 pages.

The hearings represented the first occasion in Cleveland after five years of school desegregation for parents, citizens, school staff and students to express to an official body their views as to what had happened, what should have happened but did not occur, and the effects they perceived on them and the schools.

This is what a cross-section of them said -- in June 1984:

Among those quoted in this section are several OSMCR citizen-monitors who testified before the monitoring commission in June 1984. Although they are themselves agents of the monitoring office, they are trained citizen-observers of the schools and of desegregation. Their views are of special value, since they have seen particular schools from the inside over a period of years.

On the schools before desegregation --

Seymour Freedman, deputy superintendent (since retired):

> I can remember when all the black schools were on the East side, all the white children on the West side... I knew that more equipment, more supplies got on the West side of Cleveland.
>
> I can remember a time when all newly hired black teachers were sent to East side schools, many of them without a contract...
>
> I can remember a time on the East side of Cleveland where I had, as a teacher at Kinsman [Elementary] School, 52 children to teach each day. I can remember, as a principal of Dunham School, I had 34 relay classes... 17 classes coming at 9:00 in the morning, leaving at 12:00, and while they were leaving, another 17 teachers with their classes were coming in... at that time I had 2500 children in an elementary building when we all knew that there were numerous buildings on the West side of Cleveland that were nearly empty...
>
> Very few white children had contact with black children, and both were culturally deprived. [Each] knew nothing about each other, except what had been given to them by adults - the stereotyping. And so they grew up not knowing about each other, not caring about each other, and certainly in too many cases, hating each other.

Mildred Ramsey, parent and a plaintiff:

> In the 1971-1972 school year I became so frustrated...I lost my shyness...I confronted the School Board over and over again with a group of parents from East High School, and to no avail: deaf ears, nothing resulted. [Then] I was contacted and asked if I would like to be a plaintiff in a desegregation lawsuit.

Dr. Butler Jones, sociologist:

> ...rarely has segregation ever come about [as a] consequence of pure chance...only the most naive would believe that in point of fact blacks and Hispanics, and Jews in an earlier day, and Irish in a still earlier day, were concentrated in specific segments of [a] local community purely [as a] consequence of chance.

Eugene Kolach, Cleveland Teachers Union president:

> We [Cleveland Teachers Union] favored the desegregation process...[and] called for integration of teachers.... However, none of us realized how...disporportionate the racial balance was in the staff [prior to staff desegregation].

Hattie Porter, parent:

> Before desegregation, the school buildings were closed to us, the District was...closed to us...

On the absence of organized disruption --

Daniel R. Elliott, Jr., former OSMCR Advisory Commission chairman:

> [There was] a tremendous potential for the whole thing to explode and a lot of people thought it would...but I think a great deal of [the people] that otherwise would have opposed the [desegregation] process got defused during the course of this astonishing effort [by private-sector groups] in educating the entire community....

Bethina Palmer, former member, Cleveland Board of Education:

> I knew what had happened in Boston. I knew what happened in Louisville...My only fear was would the people listen?...

Dr. Robert W. Evans, assistant state superintendent of public instruction (since retired):

> I thought that Cleveland could... be violent ... In retrospect, I didn't give [the] people enough credit.

Paul Jackson, school security administrator:

> [The Division of Safety and Security] had 598 people employed [at the outset of desegregation].... Presently...there is a total of 185....

On first impressions --

Mildred Ramsey:

> [In 1978 and 1979], it was total chaos.... Finally, things began to calm down. I began...to see light at the end of the tunnel....

Joanne Acevedo, parent:

> My child has stood in the cold for hours waiting [for a bus]...has been brought home...very late...has been beaten upon.... Cleveland schools have suffered tremendously.

Linda Osika, parent:

> The day the bus comes early we are all in shock.

Seymour Freedman:

> One area where we have totally failed is the area of transportation....We have late buses, disabled buses; we have absenteeism of bus drivers, we have inadequate facilities....We have children who are not picked up every morning. We have children who...come to school...two hours late. [We] need [transportation] facilities and...outstanding management.

Janet Neary, school monitor:

> We...have seen...the clean[ing] up of the [school] environment...[I saw] buildings that were dirty, in disrepair, unpainted classrooms... hallways that seemed to be out of control....Once the desegregation order went into effect....I found orderly schools...that were painted and [people with] spirit[s] up...

Christine Branche, early childhood program administrator (since retired):

> There [was] a time...we couldn't get [westsiders] over across the bridge [to the east side]....That is no longer true. When we have workshops [now] for families...they get there.

Eugene Kolach:

> [A monitor] went by one classroom and saw the black and white kids in separate groups. The teacher changed [this seating arrangement]. Now even she believes she's better off.

Richard Locke, school monitor:

> The students are just altogether a different group of people. [Teachers] had a lot of trouble with students running up and down the halls.... The media is not so quick to jump on each little incident that happens.... The interaction of the students is a great force in making desegregation work. [Initially, students separate themselves] -- white here, black there. Now you cannot see anything like that.

Sarah Livingston, school administrator (since retired):

> I am not saying we have completed everything...but it is a lot better than people thought....Desegregation is one of the best things that has happened to the students of Cleveland...It did surprise me [better attendance rates for children who ride the bus]. We kept hearing that students wouldn't come to school because they had to ride the bus.

On indirect effects --

Gail Long, community organizer:

> [The] schools...are the most open they have ever been to outsiders....This is directly attributable to desegregation.

Eugene Kolach:

> Many bits and pieces of information that would normally not be known by the public became public.... This is the way it should be....

Gloria Aron, parent:

> One of the things that I have most been able to do during the desegregation process is grow as a parent.... [I've learned that] education in Cleveland was not that great before desegregation....

Casimira DiScipio, vocational education administrator:

> For the first time we have had coordination with other departments...Over the past several years those of us in curriculum positions have had to look at the data before making decisions...We do have more specific systemwide goals...for funding [and] budgeting...We [had] not been in this planning mode until...the desegregation effort...
>
> I have been in a building recently where a principal with pride [commented] that for the first time ever, he has had an opportunity to select the color of paint for his building.

Dr. Peirce Hammond, research department head:

> As we get into the new areas...it seems tome that there is an increase of sensitivity for the need to consider equity issues...

Sarah Livingston:

> Prior to this there didn't appear to be a concentrated effort to get [pupil data]...Desegregation has...made us see the need for certain data and information...

Edward Young, member, Cleveland Board of Education:

> One of the things that desegregation has done is make the District report, and report very accurately...Such records didn't exist at one time.

Seymour Freedman:

> One of the best aspects that has occurred to the school system and to an administrator of any school site building is...decentralization. I would have given my eyeteeth to have control over the money that I could spend for my children [when I was a principal].

Henry Wilkins, school cluster director:

> There still persists a fuzziness of the role of cluster management.

Evelyn Johnson, school cluster director:

> The slow progress that has been made in administrative decentralization...has been due partly to the lack of planning during the initial inception of cluster management.

Kermit Lind, open housing advocate:

> We understand that the assignment plan includes a provision to exempt students from being transported outside their neighborhood if their remaining there would increase racial balance...the Cleveland schools should vigorously promote this offer...

On education --

Mildred Ramsey:

> [I said at the start that the remedy could] not just give a youngster a bus ride, it had to be a complete changeover. It [had] to be a remedy for the ills that had been done to our young black children...unless that would be the remedy,...I [would] not have any part of it.

Rita Schlatterbeck, reading programs administrator (since retired):

> ...Our [reading] scores show there are fewer children in the below-average category...There has been a lessening of disparity in achievement between black and other children. There's a oneness of purpose among staff...English has taken on a new look...through literature and also a strong emphasis...in writing....[I]n implementing the affirmative reading plans [required by desegregation] these changes were built in...

Michael Charney, teacher:

> I'll accept the fact that there's been some improvement in reading. But, the reason I'm testifying, is [that] I'm looking at what will the education be [for Cleveland Public School students] in 20 years....I think what this community needs is discussion of the...narrow vision of what desegregation actually means....The thrust of my remarks is: unless the remedial order is broadened and more inclusive...a black kid in Cleveland is not going to be able to compete with a white kid [in the suburbs.]
>
> They have to develop creative ways...to order changes within the structure of the remedial order that will enable kids who enter the first grade,...five steps behind already, to make up those steps....Everything I read...in the last ten years [states the remedial order is] too strong....I'm saying...the remedial order...doesn't go far enough.

Susan Kaeser, education advocate:

> Cleveland Public Schools have highest dropout rate in Ohio. Data have been like this for 7 years. This is the highest rate [dropout rate for Cleveland Public Schools for 1982-83 school year] of any district in Ohio. The rate is five times larger than the State average.

Leon Pryor, high school principal (since retired):

> Truancy [I think is] our number one problem.

Pedro Rojas, parent:

> The desegregation process concerns us Hispanics. [The multicultural area] is the area where they have concentrated Spanish personnel [but] they have not considered [Hispanic problems] in the general context of the process of education....There is a problem [for instance] with this competency testing...

Daniel R. Elliott, Jr.:

> [The fundamental issue in Cleveland has been confused] with the movement of black kids to the westside and white kids to the eastside...that really isn't it at all. It really is the quality of education and [this is] the equity issue that has possessed a lot of good people in this town for a long time.

Alan Mitchell, school finance administrator:

> In many cases there's not a significant difference [in management systems today as compared to those described by the Special Master in 1977-78.] All the progress is being made without making real adjustments. There is enough money to produce a quality education system in this city....Someone needs to make these decisions as to how that money would be spent.

Dr. Sanford Reichart, school district consultant:

> It appears to us that from the analyses of three years data...that this year [1984] there are indications of the threshold of opportunity...The data ...are beginning to indicate trends that are quite stunning. They indicate...the focus is more clearly on educational issues.

Bert Holt, school partnerships administrator:

> If it had not been for desegregation, this program [of school-private sector partnerships] would not have ever come into existence.... The system was very closed [before]...

Dr. Herbert Herskowitz: school equity specialist, Kent State University:

> I don't think Project Perform [a Cleveland school improvement program initiated by The George Gund Foundation] would have happened if it hadn't been for the desegregation order...

Gail Long:

> We no longer have racially isolated schools in Cleveland as a result of desegregation but...until the students of Cleveland Public Schools receive the same quality education that their suburban peers do, the work of the Cleveland School Board...will not be done.

Pauline Tarver, Cleveland NAACP executive director:

> The system has been guilty and continues to be guilty of producing young adults who have not had the proper skills. There has been progress -- this progress can be seen in many areas, yet there's more progress to be made.

G. T. Tracy, teacher:

> [Desegregation] has provided equal education...As for quality, I will hold my reservations for later.

On student attitudes --

Francies Finley, student:

> People...go by rumors instead of getting together and finding out [about] each other. Then when [the schools] started desegregation...they were still going by rumors. Then when they got together [students] found out...this person is not as bad as I thought he was.

Ronald Baylock, student:

> If it [weren't] for desegregation, I probably would have stayed on the east side and never [gotten] to the west side...

Dan Amato, student

> If it hadn't been for desegregation, I would never have knew about [the city]. So I think its working.

Natalie Stokes, student:

> Desegregation has widened my horizons...I [have] met plenty of people and I've been given lots of opportunities that I may not have otherwise been given.

Amy Richardson, student:

> What I've gotten from getting on the buses has given me an edge over a lot of different students that haven't gone through this process.

William Tomko, high school principal:

> A tremendous evolution has occurred [since 1979]. The difference...is night and day.... Today there is tranquility. [And] the primary goal has been achieved... [Students] ...are no longer conscious of color, they are just students...

On special schools --

Trudi Gonzalez, parent:

> There's a clear difference between the magnet schools and non-magnet schools.... I feel that [the school district] will...trot out some of their elite programs and show them off...But the rest of the system will flounder.

Emma Williams, parent:

> If we can employ good teachers for the magnet (schools), I do not understand why we cannot employ good teachers for the entire system.

Pauline Tarver:

> We know that students in Major Work* programs have gotten a quality education but what about those other students who are in regular classes?

On parent-school system relations --

Blanche Wallace, parent:

> We [parents] haven't been trained yet....I went to court everyday during the hearings. I heard what the judge said, but what the judge said has never gotten to the community...When are they going to start training us parents?...How...can we...make intelligent decisions... when we don't know what it's all about?

*Major Work is the Cleveland City School District's accelerated education program for high-achieving students.

Mary Howatt, parent:

> The only training...we [parents] receive is exactly what the board wants us to know and no more....Most of the training...we have gone out and gotten ourselves...We have no real training or encouragement.

Rita Laquatra, parent:

> [Parents] don't want [School District] training. We want outside trainers who are neutral. With in-house training they only tell you what they want you to know.

Mildred Ramsey:

> [School Community Councils] is more of a PR operation... It was supposed to be for parents...Parents don't really understand what that organization is all about yet.

Leslie Lake, parent:

> One of the greatest hindrances to desegregation...is the lack of respect for parents in the schools and especially by the administration downtown.

On politics and desegregation --

Pauline Tarver:

> Perhaps the greatest impediment [over the years]...has been the Board's resistance to change...One still must question the sincerity and the integrity of the Board...The NAACP must question whether the Board is trying to sabotage desegregation.

Gloria Aron:

> The reading scores have improved but then the system tells us they don't know how they did that. I think that's pretty irresponsible.

Seymour Freedman:

> There are still many, many staff people who don't believe [in] what the court order says.

Edward Young:

> In most cases we can find the genesis of those things that are going along well [improvements] as being the court order.

Mary Howatt:

> [The Board is] still fighting. [The Board has] got to say that we're going to [make desegregation work].

Pat Evcic, parent:

> Until there is total commitment...it will never work... they've done what they were told...but no more....

Dr. Peirce Hammond:

> The district spent a lot of time fighting desegregation...There may still be people who think if they just lay low maybe it [desegregation] will go away...To recapture the public trust, we've got to do more than the minimum....

Dr. Butler Jones:

> One looks at the history of the efforts to resist the desegregation process in Cleveland, and one wonders whether or not at times that there simply was not an effort to subvert the process...[by] a sustained and well orchestrated attack upon the judge who was responsible for the desegregation order.
>
> [The School Board in Cleveland] resist[ed]... on the grounds that a decision had been made in an early day to...support a particular [former superintendent], and so [the Board spent] the citizen's money and its own money in an effort to vindicate that decision. The bitterness which is a part of the current controversy, derives from that. The business community in particular... [hasn't supported the desegregation efforts because it] felt itself put upon to explain its [past support for the leadership of a segregated school system]...
>
> [There is] continued personification of desegregation as the attempt by an imperialistic judge to impose his viewpoint on the school system. It is as though the individual were a [dictator] without any Constitution, without legal justification, [as though] he just decided to impose this...
>
> [Desegregation thus is not seen as] a decision of the courts...a decision which is laid out by the Constitution. It is instead "Judge Battisti", it becomes personalized, and so long as it is personalized in this fashion, the resistance to desegregation in Cleveland continues to take...on a personal kind of character, resulting, it seems to me, in an intensity which is not characteristic of the desegregation process in other parts of the country...

On the school buses --

Karen Huston, bus driver's union agent:

> The transportation system is really the bastard child of the Cleveland Board of Education. When you have a policy of drive it 'til it stops, you have bus breakdowns.

Since 1979, there's more driver competence but less pride, more money spent and less accountability, more experience yet fewer buses run on time, more paperwork and less involvement by upper levels of management.

[New] school bus drivers haven't been interviewed since 1980. They come in, fill out a form...If they can pass a written test, they're a driver...and that should not be...

If there's a problem in transportation, the tactic is to make a statistic of it.

William Tomko:

The most aggravating problem...is the transportation system...[Last year] there has only been one day out of 180 when all [23] buses arrived on time [at my high school].

Pauline Tarver:

Busing is not the problem.... The problem is the management of the transportation department.

Michael Malloy, school transportation administrator:*

Lake Center Depot...is rented on a month-to-month basis for $20,000 per year. It is unpaved with no maintenance facility. Repairs are accomplished in the open [or] the vehicles are moved several miles to a remote maintenance facility. The operating, driver and bathroom facilities supporting 150 personnel are rented trailers at a cost of $9,048 per year. There is no on-site refueling facility.

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*In Fall 1985, the district began to move into new bus depot facilities. Shortly after the 1984 hearings, the system retained a management firm to manage school bus operations and Mr. Malloy was reassigned to new duties in the transportation department. By early 1985, the district reverted to a staff-run bus system.

Phoenix Depot...is the leased facility composed of three separate leases totaling $81,414 annually. It is an unpaved lot supported by a small maintenance facilty located almost one mile south of the Depot. The operations facility is a converted car wash and bathroom facilities are located in a trailer rented at an annual cost of $3,216.

The X-Ray Depot...is a Board-owned location. The operating, driver and bathroom facilities supporting almost 225 personnel are trailers rented at an annual cost of $20,557. It is supported by a maintenance facility located almost one-half mile away. The maintenance facility...is leased at an annual cost of $45,000.

A Central Maintenance Facility was leased in February, 1983 at an initial cost of $33,000 for required modification an an annual lease cost of $66,000 per year. Acquisition of this facility was a stop-gap measure until implementation of the Transportation Maintenance Facility Plan.

Morale within the Transportation Department is at an all-time low. Drivers are burning up sick time because they do not trust the Board of Education and see no commitment on the part of the Board, even after five years, to the transportation system. The improvements in attendance seen at the beginning of this year are disappearing rapidly and no amount of disciplinary hearings or terminations will appreciably affect attendance when the employee believes the employer doesn't care for or want the services provided.

On the goal of desegregation --

Milt Schulman, attorney:

We have got to stop the busing immediately.... This city and this whole community have become a community of all colored schools, with the exception of maybe four...that have a majority of whites....

This whole town is going down the sewer because of this vicious program.

Janet Neary:

> The best thing about the desegregation order was that it was right. It was the right thing to do....

Emma Williams:

> I...wonder where my children would be if desegregation hadn't come about.

Joyce Haws, neighborhood-schools advocate:

> Desegregation of Cleveland schools has been exhorbitant, expensive, disastrous for the students parents, teachers and taxpayers....
>
> Millions of dollars a year draw a lot of people wanting to get a piece of the action. It is very easy to see what is in it for them -- the lawyers, oil companies, bus manufacturers, those brought in as experts and administrators. But what is in it for the students, for parents and taxpayers? The answer is we all have a chance to pay for it without any say. To complain about it labels us as racists. But has education improved, or have conditions [been] bettered for children?
>
> The entire process should be abolished immediately by the Congress of the United States, primarily because it is unAmerican, racist tyranny, the result of government by judiciary, as opposed to government by the people. It is actually a takeover of the school district under the pretense of desegregation....

Eileen Roberts, civil liberties advocate:

> I've seen the Cleveland schools come a long, long way....I think the Cleveland society has accepted desegregation and has gotten used to it....

Berthina Palmer:

> If someone were to ask the question, do [I] feel that given the alternative of a school system remaining as it was and the school system as it is now would [I] make the same choice today...that [the] Cleveland school system should be desegregated, I must say without any question, yes...we proved...that Cleveland was not the worst location in the nation....I think it made us a better community and a stronger community....

Seymour Freedman:

> Does desegregation work? I must give you a resounding yes....I think our reading scores are on the way up. I feel the [Black-White] disparity is narrowing. More importantly children are learning about each other....They will never...never feel about each other [the way] they felt before. Hopefully, the stereotyping will be buried....

Martha Smith, Monitoring Commission member:

> I feel...that desegregation revealed...problems that had already been there...I see them as problems not of desegregation but of administrators not being accountable to their tasks.

Dr. Robert W. Evans:

> [Cleveland desegregation is] an extremely important event...[because] Cleveland is the flagship of education in the State of Ohio...Nothing precludes [greatness in Cleveland] from occuring...except the mindset of the people involved...

All things being equal, with no history of discrimination, it might well be desirable to assign pupils to schools nearest their homes. But all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation. The remedy for such segregation may be administratively awkward, inconvenient, and even bizarre in some situations and may impose burdens on some; but all awkwardness and inconvenience cannot be avoided in the interim period when remedial adjustments are being made... Desegregation plans cannot be limited to the walk-in school...

U.S. Supreme Court, 1971

PART III:
Monitoring the Monitors: A Postscript

by Meyer Weinberg

Socrates said teachers were midwives; their task was to help students deliver knowledge. This is doubly true for monitors. The OSMCR has aimed to help school authorities learn how to operate a school system constitutionally and, ultimately, to deliver a first-rate education to all children. Over the past five years, these hearings show the school system has brought "delivery" day -- however reluctantly -- nearer. Without the monitors much less could have been accomplished.

Prospects for success were not high at the outset. The court orders were wide ranging and thorough, and these were made the working orders of the monitors. But the lack of positive leadership at the top of the school system was debilitating. Defensive about the long train of abuses of the Constitution documented in the court findings, the school system first tried to coast by on an illusory impression of sound management practices. The work of Special Master Daniel R. McCarthy soon revealed instead a picture of plain fiscal incompetence by central staff and school board personnel, the full magnitude of which was further detailed by the inquiry into school system budgetary practices by Ernst and Whinney, engaged by the Special Master.

The OSMCR hearings did not provide for testimony of the role of OSMCR and so it was agreed that the present writer would, in a sense, "monitor the monitors". Since OSMCR's principal product is reports, these form the basis for what follows. In addition, impressions from some seven years of observation and visits to Cleveland are utilized. -- M.W.

The McCarthy and Ernst & Whinney materials, plus many monitoring reports on the same subject, afforded citizens of Cleveland an unparalleled glimpse into the mysteries of school-system high finance. Students of big-city education cannot find elsewhere such a treasure of factual knowledge. These materials should be used as texts in courses on school management and its pitfalls.

The monitors soon realized remedies could not be piecemeal. The system as a whole was antiquated and needed to be decrusted. Unlike some other cities where specific educational malpractices could be remedied one by one, Cleveland required a new framework for progress. The OSMCR, under court instructions, came up with a plan to reorganize the entire management structure of the system. The logic of the new structure was inviting; getting it to work has necessarily taken time. A final judgment is not possible at this time. Again, students of desegregation policy and school administration can find much of interest in the structure and its implementation.

While the OSMCR is a creation of the court, we should not limit our attention to that relationship. Equally important is the OSMCR's relation to the people of Cleveland. These hearings themselves signify a broad range of citizen interest in the progress of desegregation and are another contribution to community understanding. Such events are the brick and mortar of school improvement. There are few such opportunities for parents and others to speak out on their school system. The Commission's practice of utilizing volunteer monitors has ensured that a grass-roots orientation is built into monitoring activities.

Having read many of the OSMCR's reports as well as local newspaper stories covering those reports, it is clear that the press has reported the reports in full and responsible fashion.

Much of the monitoring effort has necessarily involved close and continuing contacts with the school-system central staff and other school personnel. Early on, as the OSMCR reminded the schools of their constitutional duties in this or that regard, specific actions were suggested. Many of these were valuable to the system. Indeed, for the early period of monitoring, the OSMCR served as the schools' de facto research department (which was lacking at the time). This can be seen by OSMCR's work on budgetary practices, on dropout policies, on the racial composition of classrooms, on educational components of the court remedy, on reading progress, and other significant subjects.

The slowness of the school board's compliance with court orders expresses itself in a guarded combativeness. It must be difficult for the Monitoring Commission to offer advice, as it is obliged to do, under such circumstances. At the building level, however, cooperation with the monitors seems considerably more open and freely given.

The OSMCR advises the Board of Education but it does so in the form of reports to the court. OSMCR also is a de facto source of advice to the Court, because its information is so wide and deep. This latter relationship is shrouded in the confidentiality that is customarily accorde federal court business. Federal courts are not unaccustomed, however, to engaging expert aid in matters requiring special knowledge. They do so in patent cases, antitrust cases, and the like. Judging only from the formal

OSMCR reports to the court, it is safe to say that the court has been well-served.

While the monitoring office has not hesitated to deal with "hot" topics galore, it has treated these subjects in good form. It has developed a rather deadpan prose style which rises one or two notes, depending on the occasion. No words are wasted nor is more than a single subject at a time ever discussed. Legal obligations are stated without reserve. At the same time, the school board is invited to use its imagination in constructing solutions. The monitoring office is at its most severe when reminding the board of its unfulfilled pledges and legal requirements. No concession is made to educationese. One might well wish for more colorful reports. But the reports are as clear, concise, and pointed as required.

The Cleveland desegregation case is entering a final phase. When and under what conditions the case will be dismissed depends, of course, on the school board achieving compliance with the court's orders. OSMCR will be called upon to ascertain two stages or phases of compliance: passive and active. The former refers to the degree of correspondence between the terms of each court order and the day-to-day operations of the school system. This can be measured quite readily, especially if one employs the very helpful materials already prepared by OSMCR.

Active compliance, however, refers to the extent to which the school board is likely to continue to operate the schools in conformity with the Constitution once the case is dismissed. There are few checklists to follow in this matter. Indeed, making such a judgment will perhaps be the most fateful of all that the court has yet made. One must gauge the technical adequacy as well as the moral intent of those persons in charge of the

school system.

Eventually, the court will need to reconsider the monitoring function. Forgive-and-forget would seem to be an inadequate guide. On the other hand, alternatives to the present monitoring structure might well be in order. The State of Ohio, for example, has a constitutional role in supervising local school districts and has during recent years distinguished itself by a positive role in remedying illegal segregation in Cleveland and other cities. A monitoring function for it, narrowed somewhat, could well be tailored to the requirements of Cleveland's new situation once compliance has been declared.

LIST OF WITNESSES
at June 1984 Hearings
of OSMCR Advisory Commission

1. Benjamin Turner
2. Herbert Herskowitz
3. Gloria Aron
4. Hattie Porter
5. William Tomko
6. Karen Huston
7. Michael Malloy
8. Richard Locke, Jr.
9. Elsie Hines
10. Gail Long
11. Ronald Baylock
12. Francies Finley
13. Dan Amato
14. Leslie Lake
15. Rose Stratford-Rasheed
16. Kermit Lind
17. Daniel R. Elliott, Jr.
18. Leola Criswell
19. Peirce Hammond
20. Lytle Davis
21. Joyce Griffin
22. Bert Holt
23. Mildred Madison
24. Seymour Freedman
25. Sarah Livingston
26. Christine Branch
27. Janet Neary
28. Milt Schulman
29. Leonard Hough
30. Eileen Roberts
31. Alan Mitchell
32. Robert Evans
33. Barbara Morrison
34. Joyce Haws
35. Trudy Gonzalez
36. Vincent Gonzalez
37. Butler Jones
38. Kenneth Thomas
39. Sanford Reichart
40. Leon Pryor
41. Susan Kaeser
42. Blanche Wallace
43. Rita Schlatterbeck
44. Evelyn Johnson
45. William Martoccia
46. Henry Wilkins
47. Paul Jackson
48. Berthina Palmer
49. Abba Schwartz
50. Michael Charney
51. Natalie Stokes
52. Amy Richardson
53. Edward S. Young
54. G. T. Tracy
55. Eugene Kolach
56. Mildred Ramsey
57. Joanne Acevedo
58. Linda Osika
59. Jaimie Sanders
60. Betty Flonnoy
61. Angret Georgi
62. Pedro Rojas
63. Rita Laquatra
64. Norbert Dennerll
65. Casmira DiScipio
66. Pauline Tarver
67. Emma Williams
68. Mary Howatt
69. Pat Evcic

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Juanita Dalton-Robinson*
Bertha Foreman*
Joseph Garcia, Jr.
William S. Gaskill
Dr. Zelma George
Dr. Mareyjoyce Green*
Dr. Peter P. Horoschak
Ann Marotta*
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Rev. Thomas Olcott* (Alternate: Rev. Richard Israel)
Rabbi Michael Oppenheimer* (Alternate: Rabbi Stuart Gertman)
Bishop Anthony M. Pilla (Alternate: Sr. Christine Vladimiroff)
Russell Schroeder*
Martha Smith*
Jose A. Villanueva, Esq.
Earl W. Williams*

*Members of Commission Panel that reviewed this report. Panel Convener: Martha Smith.

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Dr. Aileen Kassen, Deputy Director

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